

REMARKS

Applicants acknowledge receipt of an Office Action dated October 20, 2008. In this response, Applicants have cancelled claims 6, 14, and 20 without prejudice or disclaimer in order to expedite prosecution by minimizing the number of issues before the Examiner. Claim 21 has been rewritten in independent form as suggested by the PTO. In addition, Applicants have cancelled claims 6-11, 14, and 20 in order to permit allowable subject matter to issue without further delay. Following entry of these amendments, claims 5, 12-13, 15-19, and 21 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Allowable Subject Matter

As a preliminary matter, Applicants wish to thank the PTO for the indication, on pages 2-3 of the Office Action, that claims 5, 12-13, and 15-19 have been allowed as well as the indication, on page 3 of the Office Action, that claim 21 would be allowable if rewritten in independent form. In this Response, Applicants have rewritten claim 21 in independent form, incorporating the subject matter of claim 6.

Rejection Under 35 U.S.C. § 102

On page 2 of the Office Action, the PTO has rejected claims 6, 14, and 20 under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 2002-265630.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Although Applicants traverse this rejection, in order to permit allowed claims to issue without further delay, Applicants have cancelled claims 6, 14, and 20.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102.

CONCLUSION


Applicants believe that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No.

Respectfully submitted,

Date 4/17/09

By 

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